

XM subscribers have "voted with their pocketbooks" to have access to content without ads that is tailored to their listening preferences. In this transaction between the company and the consumer, no government interference is needed. Traffic and weather content would seem no different than adult comedy content or blues music content. In none of these cases does government's involvement seem useful. The NAB, representing the regulated business of broadcasting, is skillful in managing the FCC process to protect its members perceived interests. In this case they are using the FCC to limit competition in a way that results in less choice for consumers and is therefore bad regulation. The transaction between the company and consumers does not need government help. Please reject the NAB's petition 04-160.